

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MICHAEL MCCURTY,

Plaintiff,

vs.

G. LOPEZ, ET AL.,

Defendants.

Case No. 4:21-cv-4600- YGR

PRETRIAL ORDER NO. 1

MICHAEL MCCURTY,

Plaintiff,

vs.

H. MADSEN, ET AL.,

Defendants.

Case No. 4:21-cv-5435-YGR

The Court held a regularly scheduled status conference with the parties in both cases referenced above.

The Court confirms that trials will be held consecutively using two separate juries. The Court advances the first trial to **February 18, 2026**, presumptively case number 21-cv-4600. The second trial is advanced to **March 4, 2026**, presumptively case number 21-cv-5435. Should the defense encounter issues with witness availability, the Court will consider switching the order. The pretrial conference for both cases is advanced to **Friday, January 30, 2026 at 9:00 a.m.** A pretrial conference statement will be due **January 16, 2026**. The Court's Standing Order re: Pretrial Instructions in Civil Cases details the content that should be included in that statement and other associated filings. The parties' compliance deadline is advanced to **January 9, 2026 at 9:01 a.m.** The

parties are required to file a compliance statement by **January 2, 2026**. The Court encouraged the parties to agree on exchange deadlines so that neither would be required to work through the holidays.

The parties shall each be afforded ten (10) hours in each action to present their case including opening statements and closing arguments.

As noted in the Court's Standing Order Re Pretrial Instructions ¶ 2.h.iv, the Court bifurcates the punitive damages phase of the trial. Jurors will be asked to determine the factual predicate in phase I. Only if answered in the affirmative, will evidence and argument on the amount, if any, of punitive damages be presented in phase II. No motion *in limine* shall be filed on this issue.

IT IS SO ORDERED.

Dated: October 28, 2025


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE